

Remarks

Entry of the amendments, reconsideration of the application, as amended, and allowance of all pending claims are respectfully requested. Claims 1-9, 11-12 and 19-21 remain pending.

Applicants gratefully acknowledge the time afforded applicants' attorney, Blanche Schiller, during a telephone interview on August 19, 2008 with Examiner Cruz and Primary Examiner Scott Jarrett, in which the §101 rejection of claims 1 and 19 were discussed. Additionally, features of the invention believed not taught in the cited references, Lenny and Gray, were also discussed. No agreement was reached.

In the above amendments, claims 10, 13-18 and 22-48 are canceled, without prejudice, from further consideration in this application. Applicants are NOT conceding that the subject matter encompassed by claims 10, 13-18 and 22-48 is not patentable over the cited art. Claims 10, 13-18 and 22-48 are canceled in this Amendment solely to facilitate expeditious prosecution of the remaining claims. Applicants respectfully reserve the right to pursue claims, including the subject matter encompassed by claims 10, 13-18 and 22-48, as presented prior to this Amendment, and additional claims, in one or more continuing applications.

With the above amendments, applicants are clarifying one or more aspects of their invention. These amendments are made in a bona fide attempt to further prosecution of this application and not in acquiescence to any of the rejections. Support for the amendments can be found throughout applicants' specification including, for instance, in paragraphs 29, 44, 52, 56, 62-63, 95-96, 98-100, 107, and 109, as well as in FIGs. 1, 2, 3, 12 and 13. Therefore, no new matter is added.

In the Office Action, dated June 24, 2008, claims 3, 23 and 37 are rejected under 35 U.S.C. 112, second paragraph; and claims 1-21 are rejected under 35 U.S.C. 101. With respect to the §112 rejection, applicants have amended claim 1 to provide sufficient antecedent basis for "the analysis". Thus, applicants request withdrawal of the §112 rejection.

Further, in a bona fide attempt to further prosecution of this application and without acquiescing to the rejection, applicants have added a processor to independent claim 1, as suggested by the Examiner. Thus, applicants respectfully request withdrawal of the §101 rejection.

In addition to the above, claims 1-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenny (U.S. Publication No. 2002/0060868A1) in view of Gray (U.S. Patent No. 6,249,887). Applicants respectfully, but most strenuously, traverse this rejection for the reasons herein.

In one aspect, applicants' invention is directed to automatically obtaining product usage information for a plurality of products and automatically forwarding data relating to the collected information to one or more interested entities. The product usage information is obtained by actual usage of the products in a real time, non-test environment. By collecting this information and forwarding it to the interested entities, changes can be made to one or more of the products based on the information. In one embodiment, these changes are automatically made based on the automatically received information.

In one particular aspect of applicants' invention, applicants recite a method of facilitating provision of product usage information to interested entities (e.g., independent claim 1). The method includes, for instance, automatically obtaining, by a processor, product usage information generated by a plurality of products, used in real-time, non-test environments, wherein at least one product of the plurality of products is local to one product user and at least one product of the plurality of products is global to the one product user, and wherein the plurality of products include autonomic logic and wherein the automatically obtaining is independent of product user input; analyzing by the processor the obtained product usage information generated from the plurality of products to obtain an analysis; and automatically providing a summary of the analysis to at least one interested entity to determine whether a change is to be made to the plurality of products or future products.

Thus, in this aspect of applicants' claimed invention, information is obtained regarding a plurality of products including local and global products. That is, information is collected regarding a product that is local to one product user and a product that is global to

that product user. This information is collected and then analyzed. A summary of the analysis, which includes data from the local and global products, is automatically provided to an interested entity to determine whether a change is to be made. This is not described, taught or suggested in Lenny or Gray, either alone or in combination.

Lenny describes a critical event log for a disk drive. The data collected in Lenny is data for a particular disk drive. There is no description, teaching or suggestion of collecting data for a plurality of products, and in particular, for a plurality of products in which one of the products is local to a given product user and one of the products is global to that product user. There is no description in Lenny of receiving information about the product from another user in order to analyze that information, along with information local to the product user. Since this is not described in Lenny, Lenny fails to describe, teach or suggest at least this aspect of applicants' claimed invention.

Further, it is explicitly admitted in the Office Action that Lenny fails to describe automatically providing data relating to the product usage information to at least one interested entity. Thus, Gray is relied upon. However, Gray does not overcome the deficiencies of Lenny.

Gray describes a technique for predicting failure of a disk drive, and like Lenny, Gray is focused on one particular product. There is no discussion in Gray of obtaining data from a plurality of products, i.e., a product that is local to one product user and a product that is global to that product user, analyzing the data from the plurality of products (local and global), and providing a summary of that analysis to an interested entity. While in Gray data is forward to an interested entity, it is data for one product. There is no description, teaching or suggestion of analyzing data from a plurality of products, both local and global, and providing a summary of that analysis to the interested entity, as claimed by applicants. Since this is not taught or suggested in Gray, Gray does not overcome the deficiencies of Lenny.

Both Lenny and Gray fail to describe, teach or suggest at least applicants' claimed feature of obtaining data regarding a product that is local to one product user and a product that is global to that product user, analyzing the data from those local and global products and providing a summary of that analysis to an interested entity. Since both references fail to

describe, teach or suggest at least this aspect of applicants' claimed invention, the combination also fails to describe, teach or suggest this feature. Thus, applicants respectfully request an indication of allowability for independent claim 1.

Additionally, independent claim 19 is patentable for the same reasons as independent claim 1, as well as for its own additional features. Moreover, the dependent claims are patentable for same reasons as the independent claims, as well as for their additional features. For example, dependent claim 4 recites using the summary of the analysis to effect one or more changes of one or more products of the plurality of products, wherein the using comprises using the summary to regroup a number of products of the plurality of products. Neither Lenny nor Gray describes the regrouping of products based on an analysis performed on a plurality of products including those that are local and global. Since this is not described, taught or suggested in Lenny or Gray, either alone or in combination, applicants respectfully request an indication of allowability for dependent claim 4.

Further, dependent claim 5 further recites that the regrouping further includes using a grouping criterion, as well as the summary, to regroup the number of products. Again, this is not described, taught or suggested in Lenny or Gray, either alone or in combination. Yet further, dependent claim 6 specifically recites that the regrouping further comprises prioritizing the number of products and using the priority of the number of products, the regrouping criterion and the summary to regroup the number of products. Again, there is no discussion in Lenny or Gray of regrouping of products or prioritizing products based on a grouping criterion and the summary, as claimed by applicants.

For at least the above reasons, applicants respectfully request an indication of allowability for all pending claims.

Should the Examiner wish to discuss this case with applicants' attorney, please contact applicants' attorney at the below listed number.

Respectfully submitted,

Blanche E. Schiller
Blanche E. Schiller
Attorney for Applicants
Registration No.: 35,670

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HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203-5160
Telephone: (518) 452-5600
Facsimile: (518) 452-5579